

Defendant Jarvis' Reply Motion to Dismiss

Exhibit C

Excerpts of Sealed Discovery cited in Brief

FD-302 (Rev. 10-6-95)

-1-

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/19/2006

SOURCE, who is in a position to testify, provided the following information:

DANA JARVIS found someone inside the Regional Correctional Center in Albuquerque, New Mexico, who will sell him heroin in jail and JARVIS has been using heroin for approximately one (1) week. JARVIS' attorney, CLIFF MCINTYRE, is not working for JARVIS anymore. JARVIS has a new attorney, BOB GORENCE, and JARVIS will be meeting with GORENCE in several days. JARVIS is not sure if GORENCE will send mail out for JARVIS the way that MCINTYRE did to avoid letters going through the jail's mail.

Investigation on 01/17/2006 at Albuquerque, NM (telephonically)
File # 270B-AQ-59755 SUB-A; 89E-AQ-59598 Date dictated 01/19/2006
by SA John A. Pierson Jarvis 8.125

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FD-302 (Rev. 10-6-95)

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/25/2006

SOURCE, who is in a position to testify, provided the following information:

SOURCE left a voicemail stating that DANA JARVIS was going to write a letter with instructions to "Abbott Jon" to meet with a hit-man, give the hit-man \$5,000.00 in up-front money and give the hit-man personal information on DONALD TRUJILLO. JARVIS planned on giving the letter to his attorney, BOB GORENCE, the next day at a hearing in court and asking GORENCE to place the letter in the mail.

Investigation on 01/18/2006 at Albuquerque, NM (telephonically)
File # 270B-AQ-59755 SUB-A; 89E-AQ-59598 Date dictated 01/25/2006
by SA John A. Pierson

Jarvis

8.126

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FD-302 (Rev. 10-6-95)

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/25/2006

SOURCE, who is in a position to testify, provided the following information:

DANA JARVIS was up all night in his cell researching for his court hearing that took place the morning of January 19, 2006. SOURCE did not see JARVIS ever write a letter to "Abbott Jon" instructing "Abbott Jon" to meet with a hit-man. JARVIS did show SOURCE what appeared to be a Federal statute. JARVIS said "here is something about the Abbott." Since the case against JARVIS is a complex case JARVIS said "when they can't find this asshole they can delay my trial." SOURCE understood that JARVIS was talking about after DONALD TRUJILLO is killed JARVIS' trial could be delayed.

JARVIS returned from court a short time ago and said that the Judge will not allow BOB GORENCE to represent him.

Investigation on 01/19/2006 at Albuquerque, NM (telephonically)
File # 270B-AQ-59755 SUB-A; 89E-AQ-59598 Date dictated 01/25/2006
by SA John A. Pierson Jarvis 8.167

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/25/2006

On January 19, 2006, at approximately 9:45 a.m., Special Agent (SA) John A. Pierson met with Deputy United States Marshall Javier Ribas at the United States Courthouse, Albuquerque, New Mexico. Ribas confirmed that DANA JARVIS was in a holding cell and was scheduled to have a hearing that day. Attorney BOB GORENCE was also scheduled to be present for the hearing.

JARVIS had a stack of documents with him that he was going to bring into the courtroom. Ribas advised SA Pierson that he checked the documents for contraband prior to entering the courtroom. While checking the documents for contraband, Ribas observed no envelopes, nor did Ribas observe and documents with the name JON MARR or "Abbott Jon" on them. Ribas did see one handwritten document titled "target numbers" with numerous telephone numbers listed below. Ribas did not photocopy or seize any of JARVIS' documents.

Ribas advised SA Pierson that if JARVIS was observed passing any items to GORENCE in court that day that SA Pierson would be notified.

Investigation on 01/19/2006 at Albuquerque, NM

File # 89E-AQ-59598

Date dictated 01/25/2006

by SA John A. Pierson

Jarvis

8.168